



DEPARTMENT OF EDUCATION

Applications for New Awards; Competitive Grants for State Assessments Program

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice.

SUMMARY: The Department of Education (Department) is issuing a notice inviting applications for fiscal year (FY) 2022 for the Competitive Grants for State Assessments program, Assistance Listing Number (ALN) 84.368A. This notice relates to the approved information collection under OMB control number 1894-0006.

DATES:

Applications Available: [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Notice of Intent to Apply: [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

Deadline for Transmittal of Applications: [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: For the addresses for obtaining and submitting an application, please refer to our Common Instructions for Applicants to Department of Education Discretionary Grant Programs, published in the *Federal Register* on December 27, 2021 (86 FR 73264) and available at www.federalregister.gov/d/2021-27979. Please note that

these Common Instructions supersede the version published on February 13, 2019, and, in part, describe the transition from the requirement to register in SAM.gov a Data Universal Numbering System (DUNS) number to the implementation of the Unique Entity Identifier (UEI). More information on the phase-out of DUNS numbers is available at <https://www2.ed.gov/about/offices/list/fofo/docs/unique-entity-identifier-transition-fact-sheet.pdf>.

FOR FURTHER INFORMATION CONTACT: Donald Peasley, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW, room 3W106, Washington, DC 20202-6132. Telephone: (202) 453-7982. Email: ESEA.Assessment@ed.gov.

If you use a telecommunications device for the deaf (TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of the Competitive Grants for State Assessments (CGSA) program is to enhance the quality of assessment instruments and assessment systems used by States for measuring the academic achievement of elementary and secondary school students.

Background: The Department recognizes the importance of high-quality assessment systems, which include diagnostic,

formative, interim, and summative assessments that are valid and reliable for the purposes for which they are used and that provide relevant and timely information to help educators, parents or caregivers, and policymakers support students at the student, classroom, school, and system levels.

Statewide summative assessments are among multiple measures that can provide valuable information to students, parents or caregivers, educators, and the public about student outcomes and opportunity gaps. In its draft Frequently Asked Question document, *Impact of COVID-19 on 2021-2022 Accountability Systems Required under the Elementary and Secondary Education Act of 1965 (ESEA)*,¹ the Department encourages States to explore “opportunities to improve statewide summative assessments, which may include, consistent with ESEA section 1111(b)(2)(B)(vi), the use of multiple measures of student academic achievement, including measures of higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks which can provide students with culturally and linguistically responsive ways of demonstrating progress.”² In particular, the available uses of funds for CGSA include

¹ Available at: <https://oese.ed.gov/files/2021/12/DRAFT-Accountability-FAQ-12.15.pdf>.

developing or improving models to measure individual student growth and improving assessments for English learners and children and students with disabilities. For example, a State could develop statewide academic assessments in another language or form, if that would likely yield more accurate and reliable information on what such a student knows and can do, or use the principles of universal design for learning to improve the accessibility of their statewide assessments. Additionally, technology advancement can allow for assessments to be conducted with more frequency and less interruptions in instruction. These technology-enhanced assessments may be able to provide timely and tailored supports for teachers to inform instruction.

Further, this notice is aligned with the strategies outlined in the Secretary's Supplemental Priorities and Definitions for Discretionary Grant Programs (Supplemental Priorities), which include developing and implementing high-quality assessments of student learning (for example, curriculum-aligned and performance-based tools aligned with State grade-level content standards and, for career and technical education, relevant industry standards) and strategies that allow educators to use the data from assessments to inform instructional design and classroom practices that meet the needs of all students and providing

high-quality professional development to support educators in implementing these strategies.³

Section 1203(b)(1)(A) of the ESEA identifies six allowable uses of funds under CGSA. In brief, these uses include (1) developing or improving assessments for English learners; (2) developing or improving models to measure and assess student progress or student growth on assessments; (3) developing or improving assessments for children with disabilities; (4) collaborating with institutions of higher education or other organizations to improve the quality, validity, and reliability of State academic assessments; (5) measuring student academic achievement using multiple measures of student academic achievement from multiple sources; and (6) evaluating student academic achievement using comprehensive academic assessment instruments (such as performance and technology-based academic assessments, computer adaptive assessments, projects, or extended performance task assessments) that emphasize the mastery of standards and aligned competencies in a competency-based education model. The Department notes that, as set forth below in the Priorities section, the last two statutory uses of funds also are the two absolute priorities in this competition.

³ Available at:
<https://www.federalregister.gov/documents/2021/12/10/2021-26615/final-priorities-and-definitions-secretarys-supplemental-priorities-and-definitions-for>.

The Department notes that these allowable uses of funds are not mutually exclusive. An SEA, or consortium of SEAs, applying for funds must identify how the proposed project addresses at least one of the absolute priorities in this CGSA competition. An applicant may also propose any of the other four allowed uses of funds, as long as it also addresses either absolute priority.

Grants awarded from this competition are available for up to 48 months with a maximum budget request of \$3,000,000 for the total project period.

Priorities: This competition includes two absolute priorities, one competitive preference priority, and one invitational priority to encourage State educational agencies (SEAs) to consider new approaches to their State assessment systems.

Absolute Priority 1 is from ESEA section 1201(a)(2)(K) and is intended to encourage the use of multiple measures of academic achievement. Projects under this absolute priority might promote deeper understanding of academic achievement of all student subgroups by supporting States in designing a statewide assessment system that meets Federal requirements and, for example, integrates information obtained from curriculum-embedded performance tasks with information obtained from an end-of-year assessment to produce a valid, reliable, and fair measure of student achievement of State academic standards.

Absolute Priority 2 is from ESEA section 1201 (a) (2) (L) and is focused on the development of comprehensive academic assessments that emphasize the mastery of standards and aligned competencies in a competency-based education model. Projects under this absolute priority could, for example, strengthen statewide assessment systems by incorporating innovative, dynamic, and real-time tools for assessing student learning and progression and providing information to educators.

The competitive priority is from the Notice of Final Priorities - Enhanced Assessment Instruments, published in the *Federal Register* on August 8, 2016, (81 FR 52341) (2016 NFP).⁴ The competitive priority focuses on improving the utility of information about student performance included in reports of assessment results and providing better and more timely information to educators and parents.

The invitational priority is from the Secretary's Final Supplemental Priorities and Definitions for Discretionary Grant Programs, published in the *Federal Register* on December 10, 2021, at 86 FR 70612.⁵ The invitational priority is focused on supporting effective instruction and building educator capacity through the

⁴ Available at:
<https://www.federalregister.gov/documents/2016/08/08/2016-18530/final-priorities-enhanced-assessment-instruments>.

⁵ Available at
<https://www.federalregister.gov/documents/2021/12/10/2021-26615/final-priorities-and-definitions-secretarys-supplemental-priorities-and-definitions-for>.

development of high-quality assessments of student learning and strategies that allow educators to use data from assessments to inform instruction.

For FY 2022 and any subsequent year in which we make awards from the list of unfunded applications from this competition, these are the priorities.

Absolute Priorities: Under 34 CFR 75.105(c)(3), we consider only applications that meet one of these priorities. Absolute Priorities 1 and 2 each constitute their own funding categories. The Department may award grants under each of these absolute priorities provided that applications of sufficient quality are submitted. As a result, the Department may fund applications out of the overall rank order. To ensure that applicants are considered for the correct type of grant, applicants must clearly identify the specific absolute priority that the proposed project addresses. If an SEA (or consortium of SEAs) is interested in proposing separate projects (e.g., one that addresses Absolute Priority 1 and another that addresses Absolute Priority 2), the SEA (or consortium of SEAs) must submit separate applications.

These priorities are:

Absolute Priority 1: Measuring student academic achievement using multiple measures of student academic achievement from multiple sources.

Absolute Priority 2: Evaluating student academic achievement through the development of comprehensive academic assessment instruments (such as performance and technology-based academic assessments, computer adaptive assessments, projects, or extended performance task assessments) that emphasize the mastery of standards and aligned competencies in a competency-based education model.

Competitive Preference Priority: Under 34 CFR

75.105(c)(2)(i), the Department awards up to an additional 3 points to an application, depending on how well the application meets the priority. The competitive priority is: Improving assessment scoring and score reporting. (Up to 3 points)

Under this priority, SEAs must:

(a) Propose projects, in consultation with organizations representing parents (including parents of English learners and parents of students with disabilities), students, teachers, counselors, and school administrators to address needs related to score reporting and improve the utility of information about student performance included in reports of assessment results and provide better and more timely information to educators and parents;

(1) To respond to paragraph (a), applicants must include one or more of the following in their projects:

(i) Developing enhanced score reporting templates or digital mechanisms for communicating assessment results and their meaning (such as by providing clear and actionable next steps for parents);

(ii) Improving the assessment literacy of educators and parents to help them interpret test results and to support teaching and learning in the classroom (such as by providing training on test development and interpretation of test scores); and

(iii) Developing mechanisms for secure transmission and individual use of assessment results by teachers, students, and parents.

(b) Applicants proposing projects under paragraph (a) must provide a dissemination plan for sharing lessons learned and best practices such that their projects can serve as models and resources that can be shared with other States.

Invitational Priority

Under 34 CFR 75.105(c)(1) we do not give an application that meets an invitational priority any preference over other applications.

The invitational priority is: Supporting effective instruction and building educator capacity by developing and implementing high-quality assessments (as defined in

the Secretary's Supplemental Priorities⁶) of student learning (for example, curriculum-aligned and performance-based tools aligned with State grade-level content standards or, for career and technical education, relevant industry standards) and strategies that allow educators to use the data from assessments to inform instructional design and classroom practices that meet the needs of all students, and providing high-quality professional development to support educators in implementing these strategies.

Application Requirement: For FY 2022, and any subsequent year in which we make awards from the list of unfunded applications from this competition, applicants must meet the following uses of funds application requirement from section 1203(b)(1)(B) of the ESEA, which refers to section 1201(a)(2)(C) and (H)-(L) of the ESEA.

Uses of Funds: As required by statute and stated earlier in this notice, applicants must demonstrate that their proposed uses of funds for CGSA would be to carry out one or more of the following activities:

(a) Developing or improving assessments for English learners, including assessments of English language proficiency as required under section 1111(b)(2)(G) of the ESEA and academic assessments in languages other than

⁶Available at: <https://www.federalregister.gov/d/2021-26615/p-643>.

English to meet the State's obligations under section 1111(b)(2)(F) of the ESEA.

(b) Developing or improving models to measure and assess student progress or student growth on State assessments under section 1111(b)(2) of the ESEA and other assessments not required under section 1111(b)(2) of the ESEA.

(c) Developing or improving assessments for children with disabilities, including alternate assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D) of the ESEA, and using the principles of universal design for learning.

(d) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2) of the ESEA.

(e) Measuring student academic achievement using multiple measures of student academic achievement from multiple sources.

(f) Evaluating student academic achievement through the development of comprehensive academic assessment instruments (such as performance and technology-based academic assessments, computer adaptive assessments,

projects, or extended performance task assessments) that emphasize the mastery of standards and aligned competencies in a competency-based education model.

Definitions: For FY 2022 and any subsequent year in which we make awards from the list of unfunded applications from this competition, the following definitions apply. The definitions of "Child with a disability," "English learner," and "Universal design for learning" are from section 8101 of the ESEA (20 U.S.C. 7801). The definitions of "Demonstrates a rationale," "Logic model," "Project component," and "Relevant outcome" are from 34 CFR 77.1.

Child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act, means--

(A) A child--

(i) With intellectual disabilities, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in the IDEA as "emotional disturbance"), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and

(ii) Who, by reason thereof, needs special education and related services.

(B) The term "child with a disability" for a child aged 3 through 9 (or any subset of that age range, including ages three through five), may, at the discretion

of the State and the local educational agency, include a child--

(i) Experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in 1 or more of the following areas: physical development; cognitive development; communication development; social or emotional development; or adaptive development; and

(ii) Who, by reason thereof, needs special education and related services.

Demonstrates a rationale means a key project component included in the project's logic model is informed by research or evaluation findings that suggest the project component is likely to improve relevant outcomes.

English learner, when used with respect to an individual, means an individual--

(A) Who is aged 3 through 21;

(B) Who is enrolled or preparing to enroll in an elementary school or secondary school;

(C) (i) Who was not born in the United States or whose native language is a language other than English;

(ii) (I) Who is a Native American or Alaska Native, or a native resident of the outlying areas; and

(II) Who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

(iii) Who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

(D) Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual--

(i) The ability to meet the challenging State academic standards;

(ii) The ability to successfully achieve in classrooms where the language of instruction is English; or

(iii) The opportunity to participate fully in society.

Logic model (also referred to as a theory of action) means a framework that identifies key project components of the proposed project (*i.e.*, the active "ingredients" that are hypothesized to be critical to achieving the relevant outcomes) and describes the theoretical and operational relationships among the key project components and relevant outcomes.

Project component means an activity, strategy, intervention, process, product, practice, or policy included in a project. Evidence may pertain to an individual project component or to a combination of project components (*e.g.*, training teachers on instructional

practices for English learners and follow-on coaching for these teachers).

Relevant outcome means the student outcome(s) or other outcome(s) the key project component is designed to improve, consistent with the specific goals of the program.

Universal design for learning, as defined under section 103 of the Higher Education Act of 1965, as amended, means a scientifically valid framework for guiding educational practice that--

(a) Provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and

(b) Reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.⁷

Program Authority: Section 1203(b)(1) of the ESEA (20 U.S.C. 6363(b)(1)).

Note: Projects will be awarded and must be operated in a manner consistent with the nondiscrimination requirements contained in Federal civil rights laws.

Applicable Regulations: (a) The Education Department General Administrative Regulations in 34 CFR parts 75, 77,

⁷For purposes of this notice, English learner and limited English proficient have the same meaning.

79, 81, 82, 84, 86, 97, 98, and 99. (b) The Office of Management and Budget Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485. (c) The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. (d) The 2016 NFP. (e) The Supplemental Priorities.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$17,711,000.

The Administration has requested \$8,900,000 for new awards for this program for FY 2022. Congress has already appropriated \$8,900,000 for FY 2021. The actual total amount of funding for this competition depends on final congressional action for FY 2022.

Contingent upon the availability of funds and the quality of applications, we may make additional awards in FY 2023 (or later) from the list of unfunded applications from this competition.

Estimated Range of Awards for the Project Period:

\$1,000,000 to \$3,000,000.

Estimated Average Size of Awards for the Project Period:

\$2,500,000.

Maximum Size of Awards for the Project Period:

We will not make an award exceeding \$3,000,000.

Note: The Department will not make an award under any of the absolute priorities for less than the amount specified in section 1203(b)(1)(C) of the ESEA.

Estimated Number of Awards: 3 to 6

Note: The Department is not bound by any estimates in this notice.

Project Period:

Up to 48 months.

III. Eligibility Information

1. Eligible Applicants: SEAs, as defined in section 8101(49) of the ESEA, of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, and consortia of such SEAs.

2. Cost Sharing or Matching: This competition does not require cost sharing or matching.

3. Subgrantees: A grantee under this competition may not award subgrants to entities to directly carry out project activities described in its application.

4. Other: An application from a consortium of SEAs must designate one SEA as the fiscal agent.

IV. Application and Submission Information

1. Application Submission Instructions: Applicants are required to follow the Common Instructions for Applicants to Department of Education Discretionary Grant

Programs, published in the *Federal Register* on December 27, 2021 (86 FR 73264) and available at www.federalregister.gov/d/2021-27979, which contain requirements and information on how to submit an application. Please note that these Common Instructions supersede the version published on February 13, 2019, and, in part, describe the transition from the requirement to register in SAM.gov a DUNS number to the implementation of the UEI. More information on the phase-out of DUNS numbers is available at <https://www2.ed.gov/about/offices/list/ofo/docs/unique-entity-identifier-transition-fact-sheet.pdf>.

2. Submission of Proprietary Information: Given the types of projects that may be proposed in applications for the CGSA, your application may include business information that you consider proprietary. In 34 CFR 5.11, we define "business information" and describe the process we use in determining whether any of that information is proprietary and, thus, protected from disclosure under Exemption 4 of the Freedom of Information Act (5 U.S.C. 552, as amended). Because we plan to make all application materials public, you may wish to request confidentiality of business information.

Consistent with Executive Order 12600, please designate in your application any information that you believe is exempt from disclosure under Exemption 4. In

the appropriate Appendix section of your application, under "Other Attachments Form," please list the page number or numbers on which we can find this information. For additional information please see 34 CFR 5.11(c).

3. Intergovernmental Review: This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79.

4. Funding Restrictions: We reference regulations outlining funding restrictions in the Applicable Regulations section of this notice.

5. Recommended Page Limit: The project narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. We recommend that you (1) limit the application narrative to the equivalent of no more than 65 pages and (2) use the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).
- Use one of the following fonts: Times New Roman,

Courier, Courier New, or Arial.

The recommended page limit applies to the project narrative, including the table of contents, which must include a discussion of how the application meets one of the absolute priorities, and how well the application addresses each of the selection criteria. The recommended page limit also applies to any attachments to the project narrative other than the items mentioned in Part 6 of the application package, including the references/bibliography. In other words, we recommend that the entirety of the project narrative, including the aforementioned discussion and any attachments to the project narrative, be limited to the equivalent of no more than 65 pages. The only allowable attachments other than those included in the project narrative are outlined in Part 6, "Other Attachments Forms," in the application package.

The recommended 65-page limit, or its equivalent, does not apply to the following sections of an application: Part 1 (including the response regarding research activities involving human subjects); Part 2 (budget information); Part 3 (two-page project abstract); Part 5 (the budget narrative); Part 6 (memoranda of understanding or other binding agreement, if applicable; copy of applicant's indirect cost rate agreement; letters of commitment and support from collaborating SEAs and organizations; other attachments forms, including, if

applicable, references/bibliography for the project narrative and individual résumés for project director(s) and key personnel); and Part 7 (standard assurances and certifications). Applicants are encouraged to limit each résumé to no more than five pages.

Please note, hyperlinks should not be used in an application. Reviewers will be instructed not to follow hyperlinks if included. Applicants are encouraged to submit applications that meet the page limit following the standards outlined in this section rather than submitting applications that are the equivalent of the page limit applying other standards.

6. Notice of Intent to Apply:

We are better able to develop a more efficient process for reviewing grant applications if we have a better understanding of the number of applicants that intend to apply for funding under this competition. Therefore, we strongly encourage each potential applicant to notify us of the applicant's intent to submit an application for funding and which absolute priority the applicant intends to address. This notification should be brief and identify the SEA applicant and, in the case of consortia applicants, the SEA that it will designate as the fiscal agent for an award. Submit this notification by email to ESEA.Assessment@ed.gov with "Intent to Apply" in the email subject line or mail to Donald Peasley, U.S. Department of

Education, 400 Maryland Avenue, SW, room 3W106, Washington, DC 20202-6132. Applicants that do not provide this notification may still apply for funding.

V. Application Review Information

1. Selection Criteria: The selection criteria for this competition are from 34 CFR 75.210. We will award up to 100 points to an application under the selection criteria; the total possible points for each selection criterion are noted in parentheses.

(a) Significance (up to 10 points).

The Secretary considers the significance of the proposed project. In determining the significance of the proposed project, the Secretary considers the following factors:

(1) The extent to which the proposed project is likely to build local capacity to provide, improve, or expand services that address the needs of the target population. (5 points)

(2) The likely utility of the products (such as information, materials, processes, or techniques) that will result from the proposed project, including the potential for their being used effectively in a variety of other settings. (5 points).

(b) Quality of the project design (up to 25 points).

The Secretary considers the quality of the design of the proposed project. In determining the quality of the

design of the proposed project, the Secretary considers the following factors:

(1) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable. (10 points)

(2) The extent to which the proposed project is part of a comprehensive effort to improve teaching and learning and support rigorous academic standards for students. (10 points)

(3) The extent to which the proposed project demonstrates a rationale (as defined in this notice). (5 points)

(c) Quality of project services (up to 30 points). The Secretary considers the quality of the services to be provided by the proposed project. In determining the quality of the services to be provided by the proposed project, the Secretary considers:

(1) The quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability. (10 points)

(2) The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services. (10 points)

(3) The extent to which the training or professional development services to be provided by the proposed project are of sufficient quality, intensity, and duration to lead to improvements in practice among the recipients of those services. (10 points)

(d) Adequacy of resources (up to 10 points).

The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.

(e) Quality of the management plan (up to 20 points).

The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers:

(1) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks. (10 points)

(2) The extent to which the time commitments of the project director and principal investigator and other key

project personnel are appropriate and adequate to meet the objectives of the proposed project. (10 points)

(f) Quality of the project evaluation (up to 5 points).

The Secretary considers the quality of the evaluation to be conducted of the proposed project. In determining the quality of the evaluation, the Secretary considers the extent to which the methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project.

2. Review and Selection Process: We remind potential applicants that in reviewing applications in any discretionary grant competition, the Secretary may consider, under 34 CFR 75.217(d)(3), the past performance of the applicant in carrying out a previous award, such as the applicant's use of funds, achievement of project objectives, and compliance with grant conditions. The Secretary may also consider whether the applicant failed to submit a timely performance report or submitted a report of unacceptable quality.

In addition, in making a competitive grant award, the Secretary requires various assurances, including those applicable to Federal civil rights laws that prohibit discrimination in programs or activities receiving Federal financial assistance from the Department (34 CFR 100.4, 104.5, 106.4, 108.8, and 110.23).

3. Risk Assessment and Specific Conditions:

Consistent with 2 CFR 200.206, before awarding grants under this competition the Department conducts a review of the risks posed by applicants. Under 2 CFR 200.208, the Secretary may impose specific conditions and, under 2 CFR 3474.10, in appropriate circumstances, high-risk conditions on a grant if the applicant or grantee is not financially stable; has a history of unsatisfactory performance; has a financial or other management system that does not meet the standards in 2 CFR part 200, subpart D; has not fulfilled the conditions of a prior grant; or is otherwise not responsible.

4. Integrity and Performance System: If you are selected under this competition to receive an award that over the course of the project period may exceed the simplified acquisition threshold (currently \$250,000), under 2 CFR 200.206(a)(2), we must make a judgment about your integrity, business ethics, and record of performance under Federal awards--that is, the risk posed by you as an applicant--before we make an award. In doing so, we must consider any information about you that is in the integrity and performance system (currently referred to as the Federal Awardee Performance and Integrity Information System (FAPIIS)), accessible through SAM. You may review and comment on any information about yourself that a

Federal agency previously entered and that is currently in FAPIIS.

Please note that, if the total value of your currently active grants, cooperative agreements, and procurement contracts from the Federal Government exceeds \$10,000,000, the reporting requirements in 2 CFR part 200, Appendix XII, require you to report certain integrity information to FAPIIS semiannually. Please review the requirements in 2 CFR part 200, Appendix XII, if this grant plus all the other Federal funds you receive exceed \$10,000,000.

5. In General: In accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance, the Department will review and consider applications for funding pursuant to this notice inviting applications in accordance with:

(a) Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205);

(b) Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (Pub. L. No. 115-232) (2 CFR 200.216);

(c) Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR 200.322); and

(d) Terminating agreements in whole or in part to the greatest extent authorized by law if an award no longer effectuates the program goals or agency priorities (2 CFR 200.340).

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN), or we may send you an email containing a link to access an electronic version of your GAN. We may notify you informally, also.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your

approved application as part of your binding commitments under the grant.

3. Open Licensing Requirements: Unless an exception applies, if you are awarded a grant under this competition, you will be required to openly license to the public grant deliverables created in whole, or in part, with Department grant funds. When the deliverable consists of modifications to preexisting works, the license extends only to those modifications that can be separately identified and only to the extent that open licensing is permitted under the terms of any licenses or other legal restrictions on the use of preexisting works. Additionally, a grantee or subgrantee that is awarded competitive grant funds must have a plan to disseminate these public grant deliverables. This dissemination plan can be developed and submitted after your application has been reviewed and selected for funding. For additional information on the open licensing requirements please refer to 2 CFR 3474.20.

4. Reporting: (a) If you apply for a grant under this competition, you must ensure that you have in place the necessary processes and systems to comply with the reporting requirements in 2 CFR part 170 should you receive funding under the competition. This does not apply if you have an exception under 2 CFR 170.110(b).

(b) At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multiyear award, you must submit an annual performance report that provides the most current performance and financial expenditure information as directed by the Secretary under 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to www.ed.gov/fund/grant/apply/appforms/appforms.html.

(c) Under 34 CFR 75.250(b), the Secretary may provide a grantee with additional funding for data collection analysis and reporting. In this case the Secretary establishes a data collection period.

5. Performance Measures: For purposes of Department reporting under 34 CFR 75.110, the Department has developed three measures to evaluate the overall effectiveness of the CGSA program:

(1) The percentage of grantees, for each grant cycle, that demonstrate significant progress towards improving, developing, or implementing a new model for measuring the achievement of students.

(2) The percentage of grantees, for each grant cycle, that demonstrate collaboration with institutions of higher education, other research institutions, or other organizations to develop or improve State assessments.

(3) The percentage of grantees that, at least three times during the period of their grants, make available to SEA staff in non-participating States and to assessment researchers information on findings resulting from the CGSA program through presentations at national conferences, publications in refereed journals, or other products disseminated to the assessment community.

Grantees will be expected to include in their interim and final performance reports information about the accomplishments of their projects.

VII. Other Information

Accessible Format: Individuals with disabilities can obtain this document and a copy of the application package in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: The official version of this document is the document published in the *Federal Register*. You may access the official edition of the *Federal Register* and the Code of Federal Regulations at www.govinfo.gov. At this site you can view this document, as well as all other documents of this Department published in the *Federal Register*, in text or Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

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